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Criminology. By BARON RAFFAELE GAROFALO. Translated by ROBERT WYNESS MILLAR, with an Introduction by E. RAY STEVENS. (Modern Criminal Science Series.) Boston: Little, Brown & Co., 1914. 8vo, pp. xxxv+442. \$4.50 net.

English literature on criminology has received a distinct contribution in the translation of this work by Baron Garofalo, the first edition of which appeared in 1885. It represents the conclusions formed by a lawyer, prosecuting officer, and judge, after years spent in the study of criminal law and the criminal. The purpose of the book is to harmonize judicial logic with social interest. To this end the author advocates forsaking the old theory, that the aim of society is to measure the quantum of harm to be inflicted on the criminal as punishment, and turning to a determination of the kind of restraint best fitted to the peculiarities of his nature. "Too much consideration has been given the offense; too little to the offender."

Baron Garofalo holds that the immorality requisite before an act can be regarded as criminal is an injury to moral sense as it is represented by the altruistic sentiments of pity and probity. Acts involving such immorality are known as "natural crime." Such a notion of crime involves the idea of the criminal's moral anomaly which the author treats as psychic, refusing to commit himself to the physical and anthropological theories. If this moral anomaly or insensibility is not present we cannot have natural crime.

The existing theories of criminal law are taken up, and their inadequacy to meet the real situation is shown. The defects of the present criminal procedure are laid before us, and the jury, the judge, the punishment, and executive clemency of today are declared demoralizing to the criminal and the community as well. The author then presents his "Rational System of Punishment," in which motive is a great factor. To discover the motive, to try to change it, and to consider the possibility of the criminal adapting himself to society instead of constantly menacing it: these should form the basis for the decision of his punishment. The principles suggested as a basis for an international penal code are of great significance.

All punishment must eliminate the offender who cannot be adapted to social existence, or repair the harm which he has caused. For murderers (in which class he does not include all homicidal criminals) he advises absolute elimination through the death penalty; for criminals whose lack of adaptability may be repaired, relative elimination. This would consist of internment in a penal colony for life, for an indeterminate period, or, for mentally diseased and alcoholic abnormals, confinement in an asylum.

Reparation for harm done by these offenders may be made as fines. If the criminal is not able to fulfil this obligation, compulsory service may be demanded of him in some state-conducted enterprise. As to the amount of reparation, moral considerations would be taken into account as well as social and economic ones.

Baron Garofalo is sweeping in his assertion that the jury, the practice of declaring amnesties, and of exercising the pardon prerogative should be abolished. He urges the selection of special judges to serve as criminal judges only.

The entire consideration of this problem, which is one of the most perplexing ones that the world faces, is so sane and the recommendations so practical that all those interested in criminology look forward to their incorporation in the legislation of the future.

Progressive Democracy. By HERBERT CROLY. New York: Macmillan, 1914. 8vo, pp. 438. \$2.00.

We have here a study of the causes, nature, and consequences of the growing dissatisfaction with our traditional political system. The first chapters review the rise and growth of American political parties, and thus reveal the historical reasons for modern progressive tendencies. Further analysis having shown the line of cleavage between progressivism and conservatism, the future needs and possibilities of progressive democracy are dealt with from a standpoint which is sociological rather than purely political.

In its inception the American political system was the result of immediate and opportunistic action made necessary by a sudden national crisis. And the Constitution being drawn up by a nation composed almost entirely of actual or prospective property-holders, the result was an acquiescence in the acceptance of a political system which was really not a government by the people but a government by law. Thus economic reasons alone can explain "the process whereby the worshipers of democracy came to deify an undemocratic Constitution."

But the government of any country should be sufficiently flexible to adapt itself to the needs and demands of the people, and any radical change in popular ideals or economic conditions will mean a severe test of the efficiency of the political system. Such a change is taking place in America today. Formerly a nation of property-holders, we are fast becoming a nation of wage-earners. This fact explains the rise of the progressive movement, which is not confined to either of the two dominant political parties. In fact, Mr. Croly claims that the overthrow of the two-party system is indispensable to the success of the new movement, because "under American conditions, the vitality of the two-party system has been purchased, and must continue to be purchased, at the expense of administrative independence and efficiency" (p. 349).

Progressive democracy must be grounded in righteousness. Its only safety lies in virtue, and this virtue must be secured through education. Thus the hope of our political progress lies in a broad, sympathetic, and thorough system of social education. True progressivism realizes itself in a feeling which is in reality simply a spiritual expression of the mystical unity of human nature.